

**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT**

DATE: March 25, 2004

TO: Cathy Holdeman, Iterim City Manager

FROM: John L. Schlegel, Director of Planning

SUBJECT: REVISED 2003 Annual Report
Wichita-Sedgwick County Metropolitan Area Planning Commission

1. NAME OF BOARD

Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC)

2. MISSION AND PURPOSE OF BOARD

The mission and purpose of the MAPC is to hold public hearings to review and propose recommendations to the governing bodies concerning the Comprehensive Plan, Unified Zoning Code, Subdivision Regulations, and zoning change requests within Wichita and the unincorporated areas of Sedgwick County. The MAPC reviews unilateral annexations by cities and redevelopment plans in tax increment districts to ensure conformance with the Comprehensive Plan. The MAPC has also been designated as the Metropolitan Planning Organization to be responsible for the federally required transportation planning process within the urbanized area of Wichita.

3. STATED GOALS AND OBJECTIVES/FUNCTIONS OF THE BOARD

The MAPC holds public hearings and serves as the review body for development applications and federal transportation grants to carry out local transportation projects and programs. They make recommendations to the governing bodies concerning land use regulations and rules, such as zoning and subdivision regulations. They make policy recommendations to the governing bodies in the areas of physical, economic, and social growth.

4. AGENDA AND ACTION ITEMS

The MAPC reviewed 380 total cases. They rendered a decision for each of the cases. For most of these cases, their recommendation was forwarded to the governing bodies for the final decision.

Below is a recap of the types of cases and items.

| | |
|--------------------------|-----|
| Subdivision cases | 106 |
| Vacation cases | 60 |
| Dedication cases | 38 |
| Development review items | 34 |
| Zoning cases | 142 |
| TOTAL | 380 |

Some of the most intensely reviewed and controversial cases receiving the most interest from citizens relate to zoning. The following is a summary of the different types of zoning related cases and the various levels of review with their recommendations prior to decisions made by the governing bodies.

| | ZONING | CONDITIONAL USE PERMITS | COMMUNITY UNIT PLANS | PLANNED UNIT DEVELOPMENTS |
|------------------------|---------------|------------------------------------|---------------------------------|--------------------------------------|
| Staff Recomm Approval | 49 | 21 | 21 | 2 |
| Staff Recomm Denial | 3 | 6 | 1 | 0 |
| DAB Recomm Approval | 29 | 15 | 13 | 1 |
| DAB Recomm Denial | 1 | 3 | 0 | 0 |
| MAPC Approved | 47 | 20 | 19 | 1 |
| MAPC Denied | 1 | 2 | 1 | 0 |
| City Council Approved | 40 | 7 | 11 | 1 |
| City Council Denied | 1 | 1 | 0 | 0 |
| County Comm Approved | 11 | 3 | 3 | 0 |
| County Comm Denied | 1 | 1 | 0 | 0 |
| Withdrawn/Voided | 2 | 8 | 1 | 0 |
| Administrative Adjust. | 2 | 4 | 27 | 2 |

5. TYPES OF ACTIVITIES PERFORMED

The MAPC is a fourteen member quasi-judicial board that reviews and recommends a long-range Comprehensive Plan to guide the future physical, social, and economic development of Wichita and Sedgwick County. The MAPC schedules public hearings concerning general and specific land use and zone change requests. Depending on the type of development application, their decision may be final or it may be a recommendation to the Wichita City Council and Board of Sedgwick County Commission. The MAPC also makes land use policy recommendations to the governing bodies. The MAPC also functions as the Metropolitan Planning Organization for the urbanized area of Wichita.

6. HOW OFTEN DOES THE BODY MEET, AND WHAT HAS BEEN ATTENDANCE AT MEETINGS

Regular meetings of the MAPC are generally held at 1:30 p.m. on the Thursdays of the first and third full weeks of each month. In 2003, there were 23 regular MAPC meetings. The following is a list of members and their meeting attendance in 2003.

| MAPC Member | No. of Absences | % Mtgs. Attended |
|--------------------|------------------------|-------------------------|
| James Barfield | 5 | 78% |
| Elizabeth Bishop | 1 | 96% |
| Kerry Coulter | 0 | 100% |
| Morris Dunlap | 1 | 95% |
| Frank Garofalo | 5 | 78% |
| Bud Hentzen | 1 | 96% |

| | | |
|---------------|----|-----|
| Bob Hernandez | 5 | 55% |
| Bill Johnson | 2 | 91% |
| Ron Marnell | 1 | 96% |
| John McKay | 7 | 70% |
| M.S. Mitchell | 1 | 92% |
| Ed Sunquist | 2 | 85% |
| Ray Warren | 3 | 87% |
| David Wells | 11 | 52% |

The MAPC also has Subdivision and Advance Plans Committees. Each of these committees has seven members appointed by the MAPC Chair. The Subdivision Committee normally meets on the first and third Thursdays of each month, and they had twenty-three meetings in 2003. The Advance Plans Committee meets on an as needed basis, and they had eight meetings in 2003.

7. TENURE OF MEMBERS

During 2003, four new members (Dunlap, Hernandez, Mitchell, Sunquist) were appointed by newly elected governing body members. One commissioner resigned and one commissioner passed away. All other commissioners continue service from earlier years. The following table lists each member's length of service.

| MAPC Member | Length of Continuous Service |
|--------------------|-------------------------------------|
| James Barfield | 4 years, 4 months |
| Elizabeth Bishop | 3 years, 8 months |
| Kerry Coulter | 2 years, 10 months |
| Morris Dunlap | 9 months |
| Frank Garofalo | 6 years, 6 months |
| Bud Hentzen | 4 years, 11 months |
| Bob Hernandez | 6 months |
| Bill Johnson | 10 years, 3 months |
| Ron Marnell | 4 years, 6 months |
| John McKay | 12 years, 2 months |
| M.S. Mitchell | 7 months |
| Ed Sunquist | 7 months |
| Ray Warren | 4 years, 4 months |
| David Wells | 2 years, 7 months |

8. BOARD/COMMITTEE STRUCTURE

The MAPC members represent a broad spectrum of employment backgrounds. One-half of the members appear to have some connection with land development and the building industry. The remaining members represent a diverse spectrum of backgrounds – public service, business, medicine, and publishing. Most of the members live inside the City of Wichita.

9. ARE THERE SUNSET PROVISIONS WITH RESPECT TO MEMBER TENURE

Wichita City Council appointments to the MAPC shall be in conformity to Section 2.12.020(1) of the City Code; however, current members shall continue to serve until their present terms expire. MAPC appointments made by the Sedgwick County Board of County Commissioners shall be for a period of four years, except that members currently serving shall continue until the expiration of their term as set out in their appointing resolutions. If a Commissioner leaves office for any reason, then the term for that MAPC member shall expire, but may continue to serve until a successor has been appointed.

10. DEMOGRAPHIC PROFILE OF MEMBERSHIP

| MAPC Member | Race | Gender |
|--------------------|-------------|---------------|
| James Barfield | Black | Male |
| Elizabeth Bishop | White | Female |
| Kerry Coulter | White | Male |
| Morris Dunlap | White | Male |
| Frank Garofalo | White | Male |
| Bud Hentzen | White | Male |
| Bob Hernandez | Hispanic | Male |
| Bill Johnson | White | Male |
| Ron Marnell | White | Male |
| John McKay | White | Male |
| M.S. Mitchell | White | Male |
| Ed Sunquist | White | Male |
| Ray Warren | White | Male |
| David Wells | White | Male |

11. LIST OF ACCOMPLISHMENTS IN PAST 12 MONTHS

The following is a list of the higher profile land use cases and accomplishments by the MAPC in 2003.

- Zone change and Planned Unit Development for the College Hill PUD located at Central and Hillside
- Ann Walenta Addition at Kellogg and Oliver
- The Landing Community Unit Plan at Kellogg and Dugan Rd.
- Avalon Park Addition at 37th St. No. and Tyler Rd.
- Rusty Eck Ford Planned Unit Development at Kellogg and Armour Dr. for the relocation of a vehicle sales business in conjunction with the Kellogg freeway project
- Zone change at 29th St. No. and Ridge Rd. (Barefoot Bay Addition)
- Zone change for accessory apartment at Mt. Vernon and Oliver
- McAdams Neighborhood Revitalization Plan
- Stockyard Industrial Park Addition at 21st St. and Broadway
- Zone change for communications tower at Kellogg and Woodlawn

- Conditional Use permit for construction and demolition landfill at 31st St. So. and K-15
- Annual review of Comprehensive Plan
- Conditional Use permit for communications tower at 25th St. and Amidon
- Annexation of properties at 37th St. N. and Maize Rd.
- Conditional Use permit for corn field maze at 93rd St. N. and Hydraulic
- Zone change to General Commercial for part of the Twin Lakes Shopping Center at 21st St. and Amidon
- Dorothy Commercial C.U.P. at Calvert and West St.
- Holland Commercial C.U.P. at Kellogg and Tyler Rd.
- Hilltop Acres Addition at 29th St. N. and 151st St. W.
- Redmond Estates Addition at 31st St. So. and 119th St. W.
- Ashley Towne Centre Addition at Maple & Ridge Rd.

12. ANALYSIS OF SPECIFIC ACCOMPLISHMENTS

The land use and zoning decisions made by the MAPC promote the physical, economic, and social growth of Wichita and Sedgwick County. The MAPC is the only state enabled body authorized to provide recommendations to the governing bodies on zoning and subdivision matters.

13. CITIZEN INPUT

The MAPC meetings are the official public hearings, required by state law, and citizens are allowed to provide input for each agenda item. For each zoning case, state law requires that property owners within a minimum of 200 feet of be notified of the scheduled public hearing. Applicants are also required to post signs on their property informing citizens of the proposed land use change.

14. CONFIRMATION THAT BOARD/COMMISSION IS NOT DUPLICATIVE

There is no other board that conducts comprehensive plan studies, conducts zoning public hearings, administers subdivision regulations, and functions as the Metropolitan Planning Organization. State law provides that a planning commission can perform these responsibilities.

15. ENFORCES CONFLICT OF INTEREST RULES

In the MAPC Bylaws, Section 10 is titled “Conflict of Interest and Ethical Considerations”. This section provides rules concerning MAPC members assisting or representing applicants on zoning, subdivision, or vacation issues.

There is a list of rules stating instances when a MAPC member is not permitted to participate in a vote on an issue before the Commission. The bylaws also state when MAPC members cannot address the governing bodies concerning a quasi-judicial item and disclosure of ex parte contacts.

16. EFFECTIVELY AND EFFICIENTLY COMPLIES WITH PUBLIC INFORMATION ACT AND OPEN MEETINGS ACT

The Secretary of the Board is responsible for keeping and maintaining all records related to MAPC meetings. As required by the Kansas Open Records Act, the general public can access MAPC documents through the process developed by the City Clerk and City Attorney.

All MAPC meetings are public hearings and open to the general public and to attendance by representatives of the news media. A public notice is sent to all affected parties, an official notice is published in **The Daily Reporter**, and each meeting agenda is posted on the City of Wichita's website. All MAPC Committee meetings are also open to the general public.

17. WOULD ABOLISHING THE BOARD/COMMISSION CAUSE FEDERAL OR STATE GOVERNMENT INTERVENTION OR LOSS OF FUNDS

As designated by the Governor of Kansas in 1974, the MAPC also serves as the Metropolitan Planning Organization within the urbanized area of Wichita. In this role, the MAPC is required to review and approve all transportation grants and programs that involve federal funds.

The abolishment of the MAPC would negatively impact transportation projects that use federal funds until an alternative Metropolitan Planning Organization has been developed and approved.

18. IDENTIFICATION OF FEDERAL OR STATE STATUTES THAT MAY GOVERN BOARD/COMMISSION ACTIVITIES

Kansas Statutes Annotated 1965 Supp.12-716, et seq enables cities and counties to create a planning commission. This statute also allows a county, metropolitan, or regional planning commission to serve as the planning commission for a city.

City Code 2.12.380 through 2.12.410 establishes authorization of the MAPC.

19. DOES MEMBERSHIP INCLUDE YOUTH REPRESENTATION

There are no youth members currently on the MAPC.

20. WHAT OTHER EXISTING BOARD/COMMISSIONS HAVE SIMILAR RESPONSIBILITIES, IF ANY

None.